GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Forest Department – Allegation of corruption against Sri Anakapalli Venkata Ramana Murthy, S/o Rama Rao, 47 years, Divisional Forest Officer, Vizianagaram Division, Vizianagaram – Trapped on 03.11.2016 - Sanction of Prosecution under the Prevention of Corruption Act - Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.MS.No. 45 **Dated: 18-04-2018**

O R D E R:

Whereas Sri Anakapalli Venkata Ramana Murthy, S/o Rama Rao, 47 years, Divisional Forest Officer, Vizianagaram Division, Viziangaram, worked as such from 25.05.2015 to 03.11.2016. By virtue of the post held by him, he falls within the category of Public Servant as defined under section 2 (c) of the Prevention of Corruption Act,1988 (Central Act 49 of 1988).

2. And whereas Sri M.S.Phalanivel is the proprietor of M/s MSP Granites Company which was started in the year 2004. On 22.07.2009, he submitted an application to the Director of Mines & Geology, Andhra Pradesh to allot a quarry in 28.5 hectors area situated in Sy. No.1 of Kori Village, Parvarhipuram Mandal, Vizianagaram District, to execute mining work. The said application was processed from 2009 to 2014. On 24.06.2014, the Collector, Vizianagaram issued instructions to the Revenue Divisional Officer, Parvathipuram, to conduct joint inspection with concerned officials. Further, the Collector, Vizianagaram District conducted Screening Committee Meeting on 02.07.2014 consisting with all officials concerned and committee recommended to grant quarry lease to an extent of 16.56 hectors against the 28.5 hectors mentioned in the application of Sri M.S.Phalanivel. After getting No Objection Certificate from the Collector, Vizianagaram and environmental clearance from Government of India, the Director, Mines & Geology, granted lease to an extent of 16.56 hectors on 22.06.2016. Later, on 16.08.2016, work order was issued by the Assistant Director, Mines & Geology, Vizianagaram. After execution of the Lease Deed, Sri M.S.Phalanivel started mining work in August, 2016 in the sanctioned area. On 30.08.2016, some forest officials of Parvathipuram Range, came to his quarry and obstructed the mining work. On the same day, Sri M.S.Phalanivel approached the Assistant Director, Mines & Geology and informed about the incident. Then, the Assistant Director, Mines & Geology, addressed a letter to the Divisional Forest Officer, Vizianagaram informing that MSP granites company obtained all permissions and requested not to obstruct mining work of MSP granites. Later, Sri M.S.Phalanivel re-started the mining at the site of Kori Village, Parvathipuram Mandal. Then, some officials of Forest Department, Parvathipuram, frequently visited the quarry site and questioned the authority of Sri M.S.Phalanivel to conduct mining and asked to produce relevant documents. On 21.10.2016, Sri M.S.Phalanivel submitted the relevant documents. On 26.10.2016, Sri M.S.Phalanivel gave a representation to the Collector, Vizianagaram and informed about the objection made by the Forest Officials. The District Collector instructed the Revenue Divisional Officer, Parvathipuram, to conduct joint inspection with the concerned officials and submit report. Then the Revenue Divisional Officer, Parvathipuram, addressed a letter to the Divisional Forest Officer, Viziangaram. Sri Anakapalli Venkata Ramana Murthy and other officials, proposed the date of inspection as 29.10.2016. On the day, they all jointly inspected the mining area of Kori village. On the

same day, Sri M.S.Phalanivel met Sri Anakapalli Venkata Ramana Murhty, Divisional Forest Officer, Vizianagaram at the Range Office of Parvathipuram and showed all documents. Again, on the instructions, Sri Anakapalli Venkata Ramana Murthy, DFO, Vizianagaram, Sri M.S.Phalanivel met Sri Anakapalli Venkata Ramana Murthy, Divisional Forest Officer, Vizianagaram on 31.10.2016 & 01.11.2016 at the office of the Divisional Forest Officer, located at Vizianagaram. Sri Anakapalli Venkata Ramana Murthy, DFO, Vizianagaram demanded Sri M.S.Phalanivel an amount of Rs.10,00,000/- to give favourable report to the Dist. Collector, Vizianagaram failing which he would send adverse report mentioning that the MSP granites is conducting mining work at reserve forest area and would book cases against MSP Granites and also seize vehicles and machines at mining place. On repeated requests of Sri M.S.Phalanivel, Sri Anakapalli Venkata Ramana Murthy, Divisional Forest Officer, Vizianagaram, facilitated Sri M.S.Phalanivel to pay the said amount in 2 installments, each five lakhs rupees. Due to fear, Sri M.S.Phalanivel unwillingly agreed to give Rs. 5,00,000/- to Sri Anakapalli Venkata Ramana Murthy, Divisional Forest Officer, Vizianagaram as first installment. Sri Anakapalli Venkata Ramana Murthy, Divisional Forest Officer, Vizianagaram instructed Sri M.S.Phalanivel to pay the said amount of Rs.5,00,000/- on 03.11.2016 to the Divisional Forest Officer or to his assistants at his office or his residence as instructed by the Divisional Forest Officer;

3. And whereas Sri Mettupalayam Sabhapathi Phalanivel was unwilling to pay the bribe amount, he presented a report to the Deputy Superintendent of Police, Anti Corruption Bureau, CIU, Andhra Pradesh, Vijayawada (camped at Room No.302 of Vytla Residency, Vizianagaram) with a request to take necessary action against Sri Anakapalli Venkata Ramana Murthy, DFO, Vizianagaram. And whereas, after observing due procedure, the Deputy Superintendent of Police, Anti Corruption Bureau, CIU, Andhra Pradesh, Vijayawada registered the said report as a case in Cr. No. 17/RCT-ACB/CIU/2016 under section 7 of the Prevention of Corruption Act and made arrangements for laying trap;

4. And whereas, during the course of trap proceedings on 03.11.2016, Sri Anakapalli Venkata Ramana Murthy was trapped at his residence at Flat No.302, Sri Sai Praneetha Residency, SVN Nagar, Vizianagaram, when he further demanded and accepted the bribe amount of Rs.5,00,000/- from Sri Mettupalayam Sabhapathi Phalanivel. During the course of post trap proceedings, the tainted currency of Rs.5,00,000/- was recovered from the sofa situated in the main hall of the residence of Sri Anakapalli Venkata Ramana Murthy at his instance. The serial numbers and denominations of the said seized amount were found tallied with the serial numbers and denominations of the currency notes handed over by Sri Mettupalayam Sabhapathi Phalanivel during pre trap proceedings. The right hand fingers of Sri Anakapalli Venkata Ramana Murthy yielded positive result when they were subjected to chemical test. The Deputy Superintendent of Police, Anti Corruption Bureau, seized the tainted currency, resultant solutions. Later, seized connected records from the Office of the Divisional Forest Officer, Vizianagaram. She also prepared the rough sketch of the scene of offence;

5. And whereas, the above said acts of Sri Anakapalli Venaka Ramana Murthy, formerly worked as Divisional Forest Officer, Vizianagaram constitute the offences punishable under sections 7 and 13 (2) read with 13 (1) (d) of the Prevention of Corruption Act.

6. And whereas, the Government of Andhra Pradesh, being the competent authority to remove Sri Anakapalli Venkata Ramana Murthy, who worked as Divisional Forest Officer, Vizianagaram Division, Vizianagaram from Government Service and after fully and carefully examining the materials (i.e., FIR, Pre & Post trap proceedings, relevant

records, statements of witnesses, explanation of Sri Venkata Ramana Murthy and Final Report of DG, ACB, etc) placed before them, in respect of the said allegations and having regard to the facts and circumstances of the case, consider that the said Sri Anakapalli Venkata Ramana Murthy, who worked as Divisional Forest Officer, Vizianagaram Division, Vizianagaram should be prosecuted in a competent Court of Law, for the aforesaid offences.

7. Now, therefore, in exercise of the powers conferred under clause (b) of sub section (1) of section 19 of the Prevention of Corruption Act, 1988, (Act 49 of 1988) the Government of Andhra Pradesh hereby accord sanction for the prosecution of Sri Anakapalli Venkata Ramana Murthy formerly worked as Divisional Forest Officer, Vizianagaram Division, Vizianagaram for the offences punishable under section 7, and sub-section(2) of section 13 read with clause (d) of sub-section(1) of section 13 of the Prevention of Corruption Act, 1988 and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the aforesaid acts and for taking cognizance of the offences by a Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General,
Anti-Corruption Bureau,
A.P., Vijayawada.

Copy to: Law(G) Department.